

RECEIVED  
CENTRAL FAX CENTER

FEB 05 2004

## FAX TRANSMISSION

OFFICIAL

DATE: February 5, 2004

PTO IDENTIFIER: Application Number 09/508,499  
Patent Number

Inventor: Alan F. Merry

MESSAGE TO: US Patent and Trademark Office, Examiner T.C. Barrett

FAX NUMBER: (703) ~~305-5580~~ 872-9306FROM: DARBY & DARBY P.C.  
Chanah Brenenson

PHONE: (212) 527-7729

Attorney Dkt #: 01115/000G778-USO

PAGES (Including Cover Sheet): 12

CONTENTS: Response to Office Action (8 pages);  
Amendment Transmittal (1 page);  
Transmittal (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (212) 527-7729 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

DARBY & DARBY P.C.  
P.O. Box 5257, New York, New York 10150-5257  
Telephone: (212) 527-7700 Facsimile: (212) 763-6237

NW:01115/000G778USO00130619.DOC

1

PTO/SB/97 (12-97)

Approved for use through 9/30/00, OMB 0651-0031

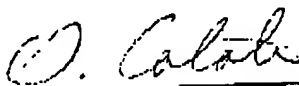
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Certificate of Transmission Under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States  
Patent and Trademark Office

on February 5, 2004  
Date



Signature



Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate  
must identify each submitted paper.

Response to Office Action (8 pages);  
Amendment Transmittal (1 page);  
Transmittal (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

PTO/BB/21 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	00/608,499
	Filing Date	April 12, 2000
	First Named Inventor	Alan F. Meny
	Art Unit	3738
	Examiner Name	T. C. Barrett
Total Number of Pages in This Submission		Attorney Docket Number 01115/000G778-USO

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment Transmittal Letter
Remarks: _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	DARBY & DARBY P.C. Chanah Brenenson - 47,442
Signature	<i>Chanah Brenenson</i>
Date	February 5, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 305-3581, on the date shown below.

Dated: 2/5/04

Signature: *C. Costello*

{W:\01115\000g778us\000130487.DOC \*\*\*\*\*}

<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. 01115/000G778-US0		
Application No. 09/508,499	Filing Date April 12, 2000	Examiner T. C. Barrett	Art Unit 3738		
Applicant(s): Alan F. Merry					
Invention: CODING OF SYRINGES TO MONITOR THEIR USE					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	35	- 41 =		x	0.00
Independent Claims	2	- 5 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					0.00
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-0100</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>Chanah Brenenson</u> Chanah Brenenson Attorney Reg. No.: 47,442  DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7788				Dated: <u>February 5, 2004</u>	

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 305-3580, on the date shown below.

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 309-3500, on the date shown below.

Dated: 2/5/04

Signature: *[Signature]*Docket No.: 1115/0G778US0  
(PATENT)

S. Buysse

2/18/04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alan Forbes MERRY

Application No.: 09/508,499

Filed: April 12, 2000

For: CODING OF SYRINGES TO MONITOR  
THEIR USE

Confirmation No.: 1189

Art Unit: 3738

Examiner: T. Barrett

RECEIVED  
CENTRAL FAX CENTER

FEB 05 2004

OFFICIAL

RESPONSE TO OFFICE ACTIONMSAF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## INTRODUCTORY COMMENTS

The following is a response to the Office Action of December 3, 2004:

Pending claims are listed in this paper beginning on page 2. There are no amendments to the claims requested at this time.

Remarks begin on page 8 of this paper.

{WA01115\000G778000\00129999.DOC (1115/0G778US0)} (1115/0G778US0)